

#16/C
H/13/01IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:) CERTIFICATE OF FACSIMILE
McMichael, J. et al.) TRANSMITTAL
Serial No.: 09/495,186) I hereby certify that this paper and the
Filed: February 1, 2000) documents referred to herein as enclosed
For: TREATMENT OF SYMPTOMS) are being transmitted via facsimile to the
OF ASTHMA, ALLERGIES AND) U.S. Patent and Trademark Office, 703-
OTITIS MEDIA) 872-937, on this date:
Group Art Unit: 1633) Date: November 5, 2001
Examiner: Wilson, M.) _____
) Jeffrey S. Sharp
) Reg. No. 31,879

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111 AND SUBMISSION OF
TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321**

Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Office Action dated July 3, 2001 in which all pending claims (1-20) are finally rejected under one or more of 35 U.S.C. §§112 (first and second paragraphs), 103(a), and under the judicially created doctrine of obviousness-type double patenting. This response is timely filed as it is filed along with a one-month extension and associated fees. A terminal disclaimer related to pending claims 8-14 over U.S. Patent Nos. 5,726,160 and 5,955,442 is filed herewith. Reconsideration and allowance of the claims is solicited in light of the following amendments and remarks.